



# City of Gloucester

## City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930  
Telephone 508-281-9722 Fax 508-281-8472

CITY COUNCIL  
AND  
CITY COUNCIL STANDING COMMITTEE  
**Ordinances & Administration**  
**Monday, May 18, 2009 – 7:00 PM**  
**Kyrouz Auditorium, City Hall**

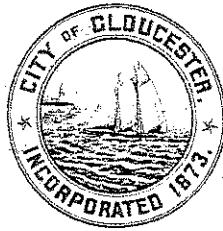
1. Appointment: Robert Hastings – Tourism Commission (TTE 2/14/2012) *(cont from 5/11/09)*
2. West Gloucester Firing Range *(cont from 3/9/09)*
3. Memo from Building Inspector re: Draft ordinance for trench excavation permits.
4. Order 09-018 (Hardy) Ad Hoc Committee to promote Fishermen's Statute Quarter.
5. Order 09-019 (Foote) Amend Sec. 19, Div. 1 and 2 re: Secondhand Goods.
6. Discussion on possible subpoena of NEMLEC reports. *(cont from 5/11/09)*



**COMMITTEE**  
**Councilor John "Gus" Foote, Chair**  
**Councilor Sefatia A. Romeo, Vice Chair**  
**Councilor Bruce Tobey**

C: Mayor  
Jim Duggan  
Sal Frontiero  
Bill Sanborn  
Bob Hastings

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

April 28, 2009

Mr. Robert Hastings  
196 Main Street, Unit 3  
Gloucester, MA 01930

Dear Bob:

Thank you for your interest in serving on the **Downtown Development Commission**. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office to pick up your appointment card (copy enclosed) and be sworn in at your earliest convenience.

Your letter of interest will be forwarded to the City Council for their meeting of May 5, 2009. Your appointment will be referred out to the Ordinance and Administration subcommittee, and you will receive a notice from the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require any additional information, please do not hesitate to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk  
Mayor

cc: John Orlando, Chair, Downtown Development Commission  
Enclosure  
CAK/c

EFFECTIVE 4/28/09

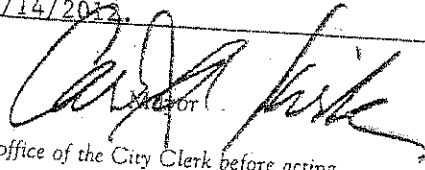
**The City of Gloucester, Massachusetts**

Dear Robert Hastings, 196 Main Street, Gloucester, MA 01930  
It is my pleasure to inform you that I have this day appointed you

to the Downtown Development Commission of the City of  
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council  
approval, term to expire 2/14/2012.

Respectfully,

  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

Inspectional Services  
3 Pond Road  
Gloucester, MA 01930

Ph# 978-281-9774  
Fax# 978-282-3036

CITY OF  
GLOUCESTER

# Memo

RECEIVED

MAR 13 2009

Mayor's Office

To: Jim Duggan, COA  
From: Bill Sanborn, Inspector of Buildings  
Date: March 16, 2009  
Re: Trench Permit



Jim,

As you are aware, the state has adopted 520 CMR section 14.00 Excavation and Trench Safety M.G.L. c 82A. This mandates that the City must issue permits for all trench excavations whether on public or private properties.

Therefore, I request that the attached Draft Ordinance (proposed section 5-3) be forwarded to the Council through the Mayor's Report for approval.

Bill

CODE OF ORDINANCE    DRAFT 3/9/09

Section 5-3 ??

No person shall excavate a trench either on private property or a public way without first obtaining a trench permit from the Inspector of Buildings in accordance with 520 CMR 14.00 EXCAVATION AND TRENCH SAFETY M.G.L. c 82A.

The fee for a trench permit shall be \$50.00 (fifty dollars) however the Inspector of Buildings may waive the fee if another city permit was issued and paid for relative to said trench.

Failure to obtain a trench permit prior to the start of excavation will result in the fee being increased to \$150.00 (one hundred fifty dollars).

Violation: If a trench is deemed to be unsafe in accordance to 520 CMR 14.00 the Inspector of Buildings shall take the necessary action to make said trench safe (filling in trench/hiring police detail, etc). The cost of this expense shall be recovered as a municipal charges lien.



## **CITY OF GLOUCESTER 2009 CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2009-018</b>
<b>COUNCILLOR:</b>	<b>Jackie Hardy</b>

<b>DATE RECEIVED BY COUNCIL:</b> 03/24/09
<b>REFERRED TO:</b> O&A
<b>FOR COUNCIL VOTE:</b>

**Ordered** that the City Council (President) appoint an ad hoc committee to promote the proposed new quarter coin with the Fisherman's Monument on the back. The Committee should consist of 5 members, one from each ward (recommended by the Ward Councilor) and should be charged with developing ideas and suggesting programs that will bring Gloucester national publicity and aid in promoting tourism, maximizing this event for the benefit of our City.

Councilor Jackie Hardy



## CITY OF GLOUCESTER 2009 CITY COUNCIL ORDER

ORDER: #CC2009-019  
COUNCILLOR: Gus Foote

DATE RECEIVED BY COUNCIL: 04/10/09  
REFERRED TO: O&A  
FOR COUNCIL VOTE:

**Ordered that the following changes be made to various sub-sections of Section 19, DIVISION 1 and 2 of the Gloucester Code of Ordinances:**

By deleting Section 19-16, entitled "Examination of shop, inventory, vehicles, etc., in its entirety and replacing with the following:

**Sec. 19-16. Examination of shop, inventory, vehicles, etc.**

The shop and all items of merchandise referred to in this article, and any place, vehicle or receptacle used for the collection or keeping of such items may be examined at all times by the mayor and City Council, or by any police officer of the city, or by any person authorized by the mayor or City Council to make such examination.

by deleting Section 19-18 in its entirety and replacing it as follows:

Section 19-18. Record of Purchases.

Every keeper of a shop in the City for the purchase, sale or bartering of gold, silver, or other valuable second hand

items shall keep a permanently bound book in which he shall at the time of purchase of any item enter in the English

language a legibly printed and detailed description thereof, and the amount paid therefore; the name, the residence

(by street and number, City or Town), telephone number, date of birth and social security number, date of birth and

social security number of person from whom such items are purchased; and the date and hour of the transaction.

In addition thereto such shopkeeper shall

1. Require the person selling such articles to provide one form of photo identification issued by a government agency. A copy of such photo identification shall be made and maintained with said book as part of his records.
2. Make and maintain a photograph of all items purchased and keep said photograph with said book as part of his records.
3. Photograph the person selling said items and shall keep said photograph with said book as part of his records.

Said book and the photocopies and photographs required hereby shall at all times be open to the inspection of the Mayor, the City Council or any individual City Councilor, police officers of the City of Gloucester or State Police or to any other person authorized by the Mayor or City Council to make such inspection.

Keeper of a shop for the purchase and sale of gold, silver, and/or other valuable second hand items shall photocopy and FAX to the Chief of Police of the City or his designee a copy of such entry. If delivery cannot be made by FAX for whatever reason, the copy of the above transaction should be hand delivered to the Chief of Police or his designee.

by deleting Section 19-19 in its entirety and replacing with:

**Sec. 19-19. Articles not to be sold until thirty days after purchase or receipt thereof.**

No such item purchased or received by any dealer or keeper of a shop shall be removed from the city or sold or otherwise disposed of nor its identity changed until at least thirty (30) days from the date of purchase has elapsed, unless permission in writing has been obtained from the chief of police or his designee who may request to observe or photo such item.

by deleting Section 19-20, in its entirety and replacing with the following:

**Sec. 19-20. Dealing with minors.**

No dealer in junk, old metals or secondhand items shall directly or indirectly purchase or receive by way of barter or exchange such goods, or allow such goods to be deposited upon or within his premises, shop vehicle, by any minor, knowing or having reason to believe him to be such.

by adding new section 19-22 as follows:

**Sec. 19-22. Signs required.**

Every keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand items in the city shall put in a suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon.

by adding new section 19-23 as follows:

**Sec. 19-23. Place of business to be that designated in license.**

No dealer in junk, old metals or secondhand items shall carry on his business in any other place than that designated in his license, unless a consent to his removal be granted by the City Council.

by deleting Section 19-30, paragraph a, and replacing it with

No person who makes a business of purchasing and selling, or who keeps a place of business in the city for purchasing or purchasing and selling either gold or silver coins, stamps, or other precious metals, art objects, paintings, jewelry, rugs or other secondhand items such as antiques and/or furniture, junk or old metals, shall engage in such business or open such place of business for such purposes unless licensed by the Gloucester Licensing Commission. The Commission may revoke such licenses at pleasure.

deleting Section 19-36 in its entirety and replacing with:

**Sec. 19-36. Penalties – fines and/or suspension/revocation.**

Failure to comply with any requirement of this ordinance shall result in a fine of \$100 for the first offense and a fine of \$300 for any second or subsequent offense.

Nothing in this Section shall abrogate the right of the City Council to revoke any license issued under this ARTICLE IV at their pleasure in accordance with Sec. 12-71 herein or G. L. Chapter 14, Sec. 54. (Ord. No. 12, 2-13-2006)

Councilor Gus Foote